

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
)	
	Tsutomu Kito et al.)	
)	
Serial No.:	10/584,820)	Art Unit
)	2874
Filing Date:	June 27, 2006)	
)	
Confirmation No.:	5579)	
)	
For:	OPTICAL FUNCTIONAL CIRCUIT)	
)	
Examiner:	Ellen Kim)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof that is not a US patent document is also enclosed.

Statement In Accordance with 37 CFR § 1.97(d) and (e)

In accordance with See 37 CFR § 1.97(d) and (e), the undersigned submits that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Non-Prior Art Document

Attached for the Examiner's consideration is a copy of an official notice of rejection issued in the corresponding Canadian Patent Application No. 2552417 and which is dated November 24, 2008. The Canadian application is a foreign counterpart of the present application.

Dated this 17th day of February 2009.

Respectfully submitted,

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